Appendix A

To the Opposition, Protest, and Petitions of Givens and Bell

To the Actions taken by the Commission in it's Memorandum Order and Opinion,

FCC 00-149

Released April 28, 2000

This Appendix Contains:

1. Front page article from the Daily Progress newspaper, Saturday, May 13, 2000; entitled: " Area is close to gaining new commercial TV station."

Scottsville's votes to be recounted

REGION & STATE B1

Adam Petty killed in crash at track

SPORTS C1

Heat edge Knicks in overtime play

SPORTS C1

The Daily Progress

SATURDAY May 13, 2000 *Established in 1892* *A Media General Newspaper* Charlottesville, Virginia 50¢

Area is close to gaining new commercial TV station

By REED WILLIAMS
Daily Progress staff writer

After 14 years of grueling litigation and hundreds of thousands of dollars in legal costs, a second commercial television station soon may enter the Charlottesville picture.

The Federal Communications Commission has approved the merger of two local broadcasting companies, Lindsay Television and Achernar Broadcasting Co., to construct Channel 19. The FCC has also permitted the two entities to form the Charlottesville Broadcasting Corp.

Lindsay Television is owned by G. Walton Lindsay, grandson of James Lindsay, the founding publisher of The Daily Progress. Achernar is owned by Albemarle County resident and Washington attorney Margot Polivy. Neither has any other broadcasting interests.

"Charlottesville is probably the only significantly sized community in the country that has one television station," Polivy said Friday.

She said the station probably will be a network affiliate, but that has not been discussed in full detail. Lindsay's attorney said he hopes to obtain a permit to build a headquarters that would allow the station to be up and running sometime next year. The company plans to place the station's antenna on Carters Mountain in Albemarle County, but has not decided on a site for a headquarters, Polivy said.

> The Federal Communications Commission has approved the merger of two local broadcasting companies to construct Channel 19.

Even after having followed a twisted legal road — this was the longest-running broadcasting case involving a new frequency on the FCC's docket — at least two obstructions still exist.

For one, there is already a Charlottesville Broadcasting Corp. in the area, which owns radio stations WINA-AM, WQMZ-FM and WKAV-AM.

"I wouldn't mind if they gave [the station] to us, but it's not us," WINA general manager Dann Miller said of the new company.

An attorney for the FCC said that as far as the FCC was concerned, it doesn't matter if two companies in different media share the same name.

"The real issue is [that Charlottesville Broadcasting] is a radio station operator, and these people are proposing to be a television operator," said the FCC attorney, who requested anonymity. "Whether they

See TV on A8

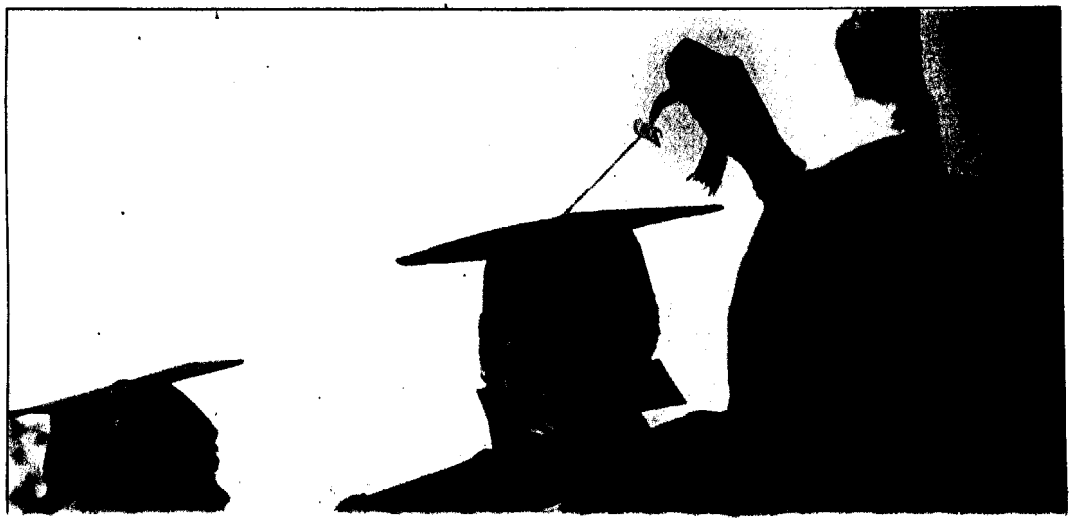
State sets new trash record

Associated Press

NORFOLK — Virginia imported a record 4.75 million tons of trash last year, despite aggressive attempts to limit the amount of out-of-state trash pouring into the state.

Waste from 28 jurisdictions, including Puerto

Great achievement



Blaze calmer in N.M.

Officials say area still unsafe

Associated Press

LOS ALAMOS, N.M. — The blowtorch winds and searing heat that fed a raging wildfire broke Friday, easing the threat to Los

Associated Press

WASHINGTON — When officials set a brush fire at Bandelier National Monument last week, the plan was to have a small fire prevent a big one. But the wrong weather patterns can turn such prescribed fires into just the kind of monster infernos they're meant to prevent.

As the New Mexico wildfire set by the National Park Service continued blazing uncontrolled Friday, Interior Secretary Bruce Babbitt and Agriculture Secretary Dan Glickman imposed a 30-day moratorium on prescribed fires in the West.

"The federal government's controlled burn policy is out of control," said Rep. Joe Skeen, R-N.M., who favors logging to thin out overgrown forests.

"The National Park Service is acting like children playing with matches," said Rep. Helen Chenoweth-Hage, R-Idaho, chairwoman of the House Resources Committee's forests panel. She said her group would hold a hearing into the decision to conduct the burn.

Prescribed-fire experts say blazes can be an important tool to prevent catastrophic forest fires by clearing away the dead logs and underbrush that fuel the big fires. That fuel has built up in federal forests because for more than a century, natural fires were snuffed out.

Associated Press

Jeffrey Leonard of the High Rolls Volunteer Fire Department douses hot spots in Weed, N.M.

"We can conduct a thousand prescribed burns and the public will never know about it. We lose one, and we get all the press, and that's unfortunate," said John Fort, director of the National Interagency Prescribed Fire Training Center in Tallahassee, Fla.

Population 20."

The break in the weather in northern New Mexico gave firefighters hope of holding the line against the Los Alamos fire. It was still growing Friday, but at a slower pace, and firefighters expected winds to remain calm through today.

Crews used bulldozers and hand tools to cut brush and dig trenches in still-standing neighborhoods, fearful the flames still might take an unexpected turn. Overnight, other crews took advantage of lower temperatures and higher humidity to burn trees, grass and brush about five miles from town, hoping to deprive the fire of fuel.

"I can say with a high degree of confidence that we will not have more structures burned in Los Alamos or White Rock," said Doug MacDonald, the Los Alamos fire cause of the fire next Thursday.

Los Alamos was framed by destruction, with houses reduced to charred rubble and twisted metal. In one driveway, the fiberglass shell of a sports car had fused with the concrete. In another yard, a melted Big Wheel sat next to the seared remnants of a children's playset.

Residents and firefighters spoke with the imagery of war, using words like "attacked" to describe the struggle with the fire, which at one time surged so ferociously that firefighters dropped their hoses and equipment and ran for safety.

"It came roaring down like a freight train off the mountain," said Ed Pullian, a battalion chief who had slept just seven hours over three nights. "We didn't have a chance. We kept retreating, retreating, retreating and kept getting overrun."

Justice Department says. And 95 percent of buyers get an approval or a disapproval within two hours of their application for purchase.

In its first 13 months of operation, the NICS system completed more than 10 million background checks. Only 5 percent required more than two hours to complete the background check.

"We had four prospective sales Friday, but we can't deliver the guns because we can't get approvals," said Tommy Thacker, manager of Loudoun Guns in Leesburg, Va. "We just tell them we'll call them when the system is up."

In Virginia, gun dealers like Thacker are linked by computer with the Virginia state police, but the state police are linked to the FBI computer to check federal criminal history records. "So the state can't give approvals," Thacker said.

TV

Continued from A1

have the authority to [have the same name], as far as the state of Virginia is concerned, is another matter."

Gene Bechtel of Bechtel & Cole, a Washington law firm that has represented Lindsay Communications since 1986, said he didn't know the name was taken and said the firm would check with the State Corporation Commission.

"I'll raise that with my colleagues, and, if we've got a confusing name, we'll fix it," Bechtel said Friday.

Another possible roadblock is the Shenandoah Educational Television Corp., which operates WVPT-TV in Harrisonburg. Shenandoah has been using Channel 19 as a translator station, retransmitting its main signal to Charlottesville.

Shenandoah fought Lindsay and Achernar for the channel and lost, but has until May 30 to ask the FCC to reconsider. An official from Shenandoah said Friday that the company had not decided if it would appeal.

"Even if they do appeal, they don't have a leg to stand on," Polivy asserted, because FCC regulations dictate that full-power stations have priority over translators.

The Charlottesville area has two other commercial television stations, NBC affiliate WVIR-TV Channel 29, and PAX-TV affiliate WADA, Channel 55. There also is one noncommercial station in the area, WHTJ-TV41.

When Achernar and Lindsay first filed requests with the FCC in 1986, they wanted to construct Channel 64. There were several other competing companies in the beginning, but each dropped out over the years.

At one point, in the late 1980s, the FCC denied the applications of both entities to form Channel 64, on the grounds that operation from their sites would cause "objectionable interference" to the activities of the National Radio Astronomy Observatory in Green Bank, W.Va.

The two companies appealed the decision to the U.S. Court of Appeals for the District of Columbia Circuit, which reversed the commission's decision.

After further research and negotiations, Achernar and Lindsay persuaded the observatory to support Channel 64. Finally, in 1998, Achernar and Lindsay decided to merge to form the channel, but, in 1999, Congress passed a law directing the commission to delete 64 as a frequency over a period of time.

Later that year the two companies requested to form Channel 19 instead, and they put their proposal before the FCC.

"It's one of those long stories that only government agencies in Washington seem to generate," Bechtel said.

Polivy would only say she can see "the light at the end of the tunnel is not a train coming at us."

Trash

Continued from A1

tected commerce between states. The state is appealing.

Gilmore has joined the governors of several trash-importing states in asking U.S. Rep. Thomas J. Bliley Jr., R-Richmond, to shepherd federal legislation giving states greater authority to limit garbage shipments. Bliley chairs the House Commerce Committee, which handles bills involving the interstate transport of commodities, including trash.

Last week, Gilmore wrote Bliley a letter "asking you to work with us on federal legislation, which would confirm the states' ability to protect their lands and people, and to provide for reasonable restrictions on the importation of out-of-state waste."

Bliley, who is not seeking re-election this year to his Central Virginia seat, has consistently said he won't bless any legislation unless it has consensus from both importing and exporting states — consensus that has not yet been reached.

"Chairman Bliley shares the sentiments expressed in Governor Gilmore's letter," spokesman Peter Schmidt said Thursday. "As quickly as consensus emerges around the issue in the Congress, we will move a bill quickly through the Commerce Committee."

Supporters of trash importation limits hope the letter from Gilmore, a fellow Republican and Bliley ally, will spur action.

Hemings

Continued from A1

Earlier this year, a panel of scholars commissioned by the Thomas Jefferson Memorial Foundation, which owns and operates Monticello, concluded that the third president probably fathered at least one of Sally Hemings' seven children.

At last weekend's emotionally charged family reunion, the descendants of Jefferson's wife, Martha, voided a decision on whether to include Hemings descendents in Monticello Association. The association owns and maintains the graveyard at Monticello, and members have a right to be there.

August, the Fifeville Neighborhood Association recommended that the City Council name a newly built, 0.2-mile road off West Main Street after Sally Hemings. Fifeville residents said they made the suggestion after historical evidence showed that Hemings lived just yards from the so-called Ninth-10th Street Connector.

Daugherty said she favors changing the names of both the Ninth-10th Street Connector and 10th Street. Giving the two roads, about a one-mile stretch of pavement in all, a single name would reduce confusion for city motorists, she said. She said she and Councilor Blake Caravati visited every house on the segment that would be affected.

"There was very little disagreement," she said. Daugherty's four fellow councilors have said they are strongly in favor of naming a street after the Hemings family.

The mayor said she decided to expand the street's recognition to include the entire Hemings family, rather than only Sally, after reviewing research by Monticello historian Cinder Stanton.

Stanton's report stated that the Hemings family was "a remarkable enslaved family [who] formed a link between Monticello and Charlottesville, and made a significant impact on the character and development of its main street."

Records show that at Monticello, John Hemings was a woodworker who was responsible for much of the interior of Jefferson's Poplar Forest house. Joseph Fossett, son of Mary Hemings, was in charge of Monticello's caterers and cooks, while Sally Hemings was trained in needlework.

Many Hemings family members moved to Charlottesville after gaining their freedom and worked as painters, glaziers and ironworkers. Some were musicians: Jesse Scott, who married Betty Hemings' daughter, composed dance tunes and played at University of Virginia balls. Eston Hemings was called a "master of the violin."

Laws against freedmen pressured almost all of the Hemings family to migrate to southern Ohio, Stanton said.

Daugherty called acknowledging the Hemings family story an important first step. "We've got a lot of catching up to do, along with other parts of the country, in recognizing African-Americans and other groups that have made contributions," she said. "We've not been very progressive with that so far."

The mayor said the city also should place a plaque near the street detailing the Hemings history.

Several residents of the predominately black Fifeville neighborhood said Friday that they welcomed changing the streets' names to honor the Hemings family.

"I feel that it's about time for them to have done something for people who were enslaved," C.B. Lewis said. "Black people have done a lot that we don't get any credit for."

Nat Palmer agreed. "I think that some type of justice and recognition is due," he said. Slaves' contributions, he said, "should be brought to light."

The attention that has been showered on the designers and architects of the University of Virginia and Monticello should be shared with the people who put "the sweat, the blood, the tears" to build them.

But some Fifeville residents said they would prefer not to see the Hemings name on green city street signs. "[Sally Hemings] never did anything for Charlottesville," said Beverly Barnes.

Charles Johnson, whose family has lived in the same house in Fifeville since 1898, said "it would be better to name the street after someone people knew," such as a recent black educator or the Rev. Martin Luther King, rather than distant historical figures.

"I hope they discuss it before they make a decision."

Appendix B

To the Opposition, Protest, and Petitions of Givens and Bell

To the Actions taken by the Commission in it's Memorandum Order and Opinion

FCC 00-149

Released April 28, 2000

This Appendix Contains:

1. Printouts of the Commission "Distance and Bearing" calculation web page, verifying calculations of azimuth and bearing.

Federal Communications Commission

FCC HOME PAGE Headlines Commissioners Bureaus/Offices Finding Info

Distance and Azimuths

Between Two Sets of Coordinates

Page 2 -- Output

The distance between Point 1 at **37 58 58 N Latitude 78 29 0 W Longitude,** W19 DB

and Point 2 at **38 25 59 N Latitude 79 50 24 W Longitude** is new Greenbank

128.660 kilometers or 79.946 miles.

Azimuth from Point **1** to Point **2**: 293.32°
Azimuth from Point **2** to Point **1**: 112.48°

Calculated by the Great Circle Method

Try another 2 sets of coordinates?

or, if an initial set of coordinates is known, use
Find Terminal Coordinates program from a bearing and a distance.

This document may be accessed at http://www.fcc.gov/mmb/asd/bickel/distance.html

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Jump to:
ASD Subject Index, ASD Alphabetical Index, FCC Search Engine

- Filing an Application
- Application Information
- AM
- FM and FM Translators & Boosters
- Fact Sheets
- Decisions
- Links Within FCC
- Links to Outside the FCC

Mass Media Bureau -- Federal Communications Commission

Distance and Azimuths

Between Two Sets of Coordinates

Page 2 -- Output

The distance between Point 1 at **37 58 58 N Latitude 78 29 0 W Longitude,** W19BB

and Point 2 at **38 25 42 N Latitude 79 49 55 W Longitude** is dd Greenlevel

127.810 kilometers or 79.418 miles.

Azimuth from Point **1** to Point **2**: 293.22°
Azimuth from Point **2** to Point **1**: 112.39°

Calculated by the Great Circle Method

Try another 2 sets of coordinates?

or, if an initial set of coordinates is known, use
Find Terminal Coordinates program from a bearing and a distance.

This document may be accessed at http://www.fcc.gov/mmb/asd/bickel/distance.html

Jump to:
ASD Subject Index, ASD Alphabetical Index, FCC Search Engine

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Mass Media Bureau -- Federal Communications Commission

Federal Communications Commission

FCC HOME PAGE Headlines Commissioners Bureaus/Offices Finding Info

Distance and Azimuths

Between Two Sets of Coordinates

Page 2 -- Output

The distance between Point 1 at **37 59 5 N Latitude 78 28 49 W Longitude,** Givens & Bell, Ashenar Am Tower

and Point 2 at **38 25 59 N Latitude 79 50 24 W Longitude** is ~ new Greenbank

128.821 kilometers or 80.046 miles.

Azimuth from Point **1** to Point **2**: 293.18°
Azimuth from Point **2** to Point **1**: 112.34°

Calculated by the Great Circle Method

Try another 2 sets of coordinates?

or, if an initial set of coordinates is known, use
Find Terminal Coordinates program from a bearing and a distance.

This document may be accessed at http://www.fcc.gov/mmb/asd/bickel/distance.html

Jump to:
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Mass Media Bureau -- Federal Communications Commission

Appendix C

To the Opposition, Protest, and Petitions of Givens and Bell

To the Actions taken by the Commission in it's Memorandum Order and Opinion

FCC 00-149

Released April 28, 2000

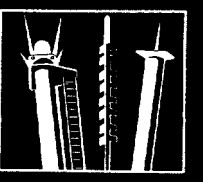
This Appendix Contains:

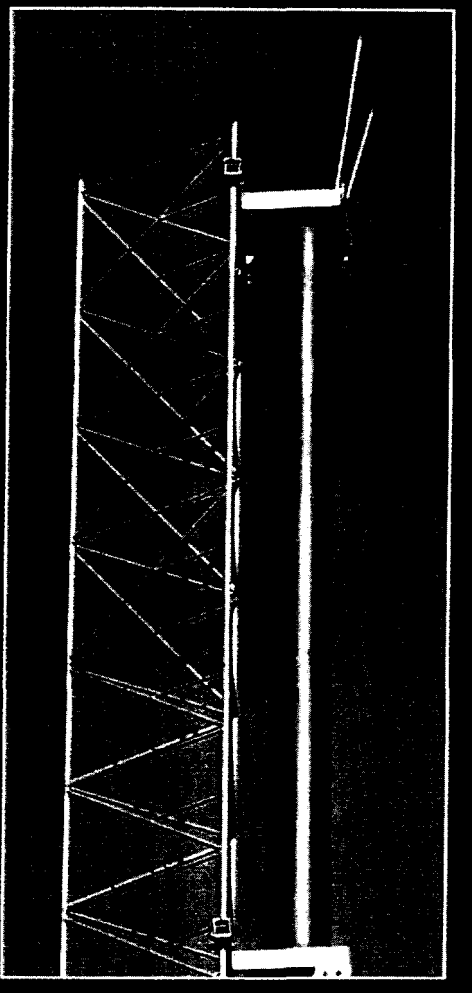
1. Andrew catalog specification sheets and sales literature regarding the proposed Achenar and Lindsay Ch. 19 antenna.

TRASAR®
Emergency and Standby Antennas

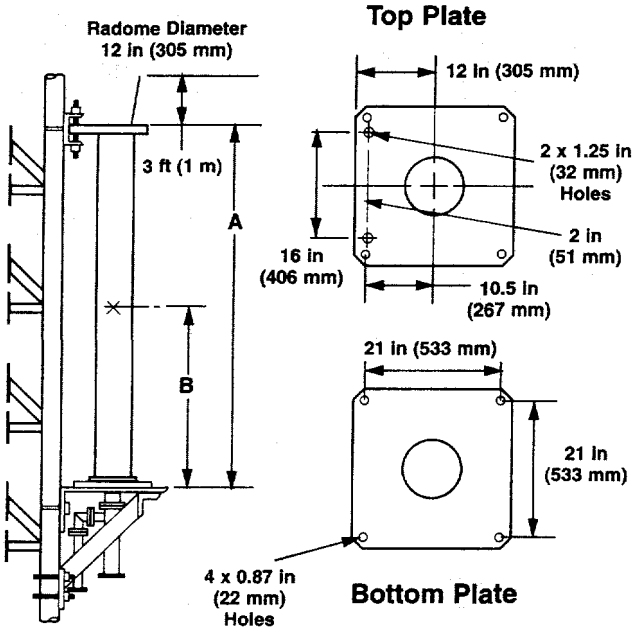
Andrew offers a line of lower gain (G-Series) TRASAR antennas for standby and emergency service. The antennas feature a full 60 kW power handling capability and provide excellent assurance against revenue losses in the event of catastrophic main antenna failure.

Broadcast Antenna Systems





Antenna Dimensions



Electrical and Mechanical Characteristics

Type Number	ATW2G1(†)-HSS-(*)	ATW8G4(†)-HSS-(*)	ATW16G4(†)-HSS-(*)	ATW24G4(†)-HSS-(*)
Number of Bays	2	8	16	24
Peak Power Gain (dBd)	4 (6.02)	16 (12.04)	32 (15.05)	48 (16.8)
Standard Beam tilt, degrees	0	1.0	1.0	1.0
Input Power, kW (dBk), Peak Visual +20% Aural: 60 kW Nominal				
Antenna Height, Less Lightning Rods, ft (m) - Dimen. A				
Channel 14	5.1 (1.6)	17.6 (5.4)	33.7 (10.3)	50.0 (15.2)
Channel 69	5.1 (1.6)	11.5 (3.5)	21.0 (6.4)	30.0 (9.1)
Radiation Center Above Base, ft (m) - Dimen. B				
Channel 14	2.5 (0.8)	8.8 (2.7)	16.9 (5.1)	25.0 (7.6)
Channel 69	2.5 (0.8)	5.7 (1.7)	10.5 (3.2)	15.0 (4.5)
Antenna Weight, lb (kg)				
Channel 14	300 (140)	500 (230)	800 (370)	1200 (544)
Channel 69	300 (140)	400 (190)	600 (280)	900 (408)
Wind Load (Shear), lb (N)**				
Channel 14	200 (890)	700 (3200)	1300 (5800)	2000 (9000)
Channel 69	200 (890)	500 (2300)	800 (3600)	1200 (5400)

* Specify channel number. ** Loads are typical for 50 lb/ft² (2.4 kPa) for flat surfaces and 33 lb/ft² (1.6 kPa) for cylindrical Surfaces.
† Specify 50 (50 ohm input) or 75 (75 ohm input).

High Reliability and Dependable Service

The antennas are fully radome enclosed for maximum environmental protection. Lightning rods are standard.

The skull-shaped azimuth pattern provides coverage appropriate for nearly all emergency situations. The broad elevation pattern ensures a good signal throughout the market area.

Built for Permanent Installation

G-Series antennas can be permanently mounted to the tower for use during emergencies or during routine maintenance on the main antenna system. They are designed and manufactured to the same high standards as the high gain TRASAR antennas featured on pages 296-300.

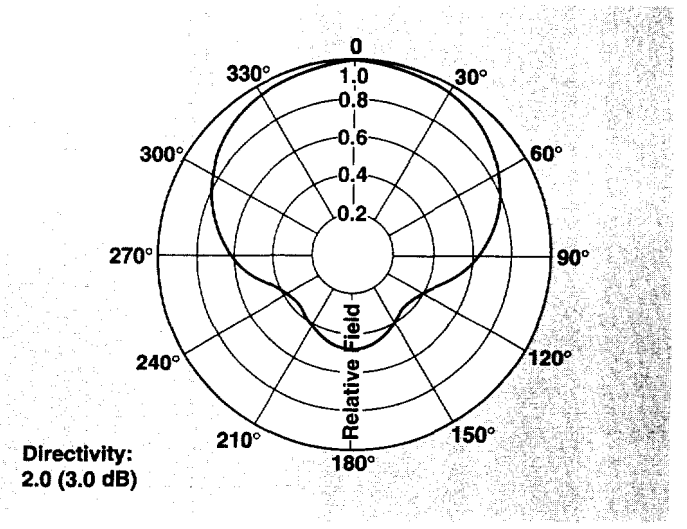
Input is 6-1/8" EIA, 50 or 75 ohm. Specify in Type Number per table on page 301.

VSWR is maximum of 1.05 at the visual carrier and 1.10 across the channel.

24 Hour Emergency Service Available

In the U.S.A., Type ATW2G antenna can normally be provided within 24 hours.

Azimuth Pattern - Skull



Directivity:
2.0 (3.0 dB)

Appendix D

To the Opposition, Protest, and Petitions of Givens and Bell

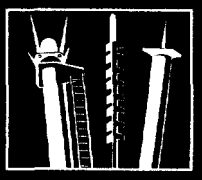
To the Actions taken by the Commission in it's Memorandum Order and Opinion

FCC 00-149

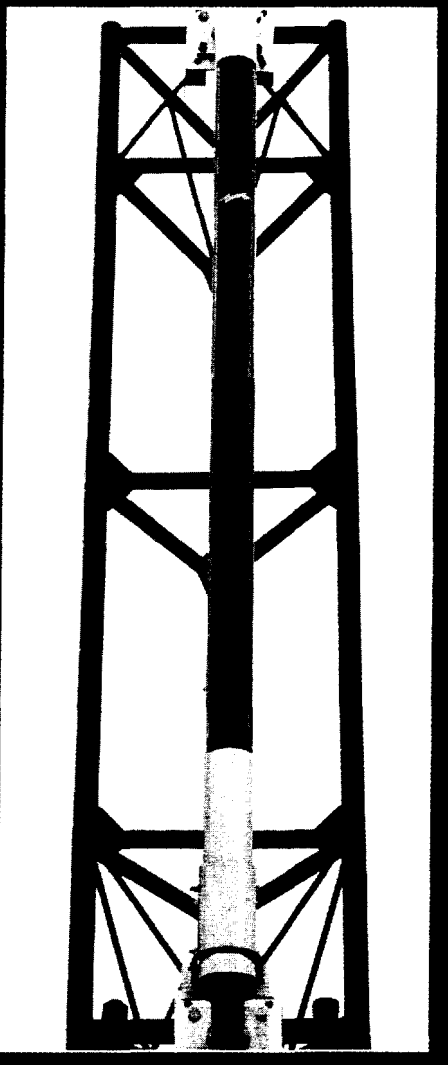
Released April 28, 2000

This Appendix Contains:

1. Andrew antenna sales literature, and the associated diagrams and white papers, regarding the effect of reflections from towers, structural supports and other nearby metal objects upon the coverage area of side-mounted antennas, and, specifically, the probable effect of a special structural support upon the null point of the proposed Achenar and Lindsay antenna.



Broadcast Antenna Systems



NEW!

ALPac System

Antenna/Tower System for Top-Mounted LPTV Applications

Andrew Corporation and Electronic Research Inc., working together have made possible a unique solution for Low-and Medium-Power, Top-Mounted Antenna Applications.

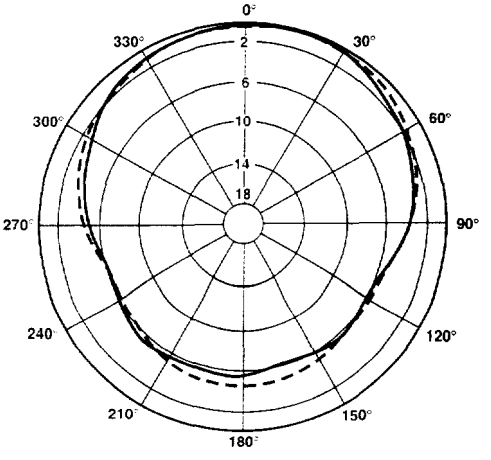
The New ALPac System was developed to overcome antenna pattern distortion caused by the support structure. The advantage...performance nearly identical to a free-space condition. This allows you to choose top-mounted antennas for tower or roof-top applications.

Intended for economical, high quality community broadcast stations, this system is also available for immediate implementation of ATV channels.

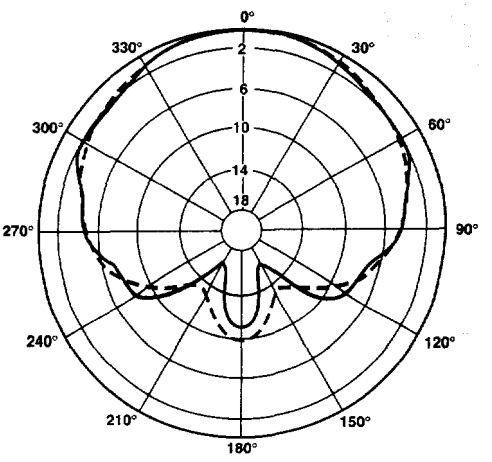
Andrew ALP-Antennas are built with high quality materials to ensure maximum reliability to the broadcaster. Patterns measured in the factory using state of the art equipment allow for reliable performance in the field.

Like all Andrew Broadcast Products, ALPac systems are supported by a complete selection of system products including HELIAX® transmission line and the follow-up support for which Andrew has been known for more than 50 years.

The range test data below demonstrates performance nearly identical to free space condition. The dotted line indicates free space pattern. The solid line indicates ALPac range test data.



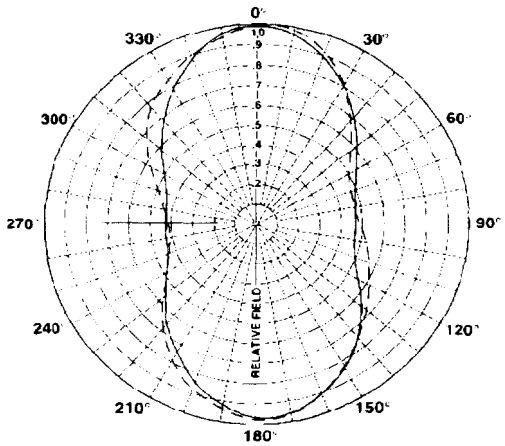
Andrew Omnioid ALPac System



Andrew Cardioid ALPac System

A TECHNICAL DISCUSSION
ANDREW BROADCAST ANTENNA MEASUREMENT TECHNIQUES

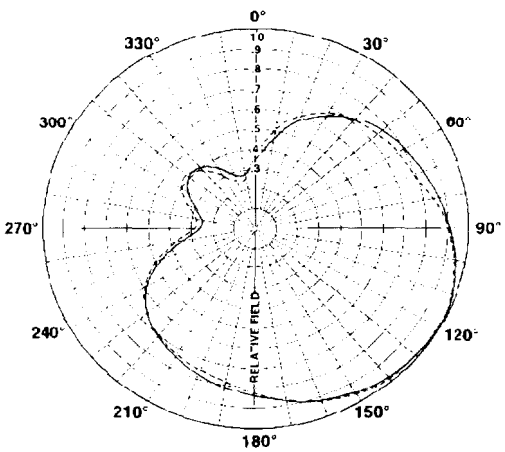
UHF TV Slot Array Azimuth Pattern



Measurement Comparison
——— Anechoic Chamber
- - - - - Far Field Range

Channel 26

UHF TV Slot Array Azimuth Pattern



Measurement Comparison
——— Anechoic Chamber
- - - - - Far Field Range

Channel 32

Introduction

Two major areas of interest when specifying performance parameters for television transmitting antennas are elevation pattern and azimuth pattern. For proper coverage, a great deal of time, money and effort are usually expended to determine not only the ideal azimuth and elevation patterns but also their relationship to available transmitter power configurations and limitations.

The final radiation pattern of any television broadcast transmitting antenna is determined by the amplitude and phase distribution over the antenna aperture. The aperture effects can be divided into two separate and independent radiation characteristics: the azimuth pattern and the elevation pattern. The product of these two patterns gives the total radiation pattern for the antenna.

Azimuth Pattern Measurement

For UHF antennas, directional azimuth patterns are often chosen to optimize the coverage of the viewing area and to maximize the ERP of the antenna by using the higher azimuth gains.

For these antennas, it is very important to eliminate all extraneous signals from the measurements or significant error can be introduced. The appropriate conditions are accomplished by using an anechoic chamber for azimuth pattern testing. The anechoic chamber is designed with RF-absorbing material that covers the walls, ceiling and floor to prevent any unwanted reflections during the measurement procedure. The anechoic chamber is the optimum measurement environment. It represents the free space condition of the design criteria because it eliminates all reflections and, at the same time, allows direct measurement of the azimuth pattern.

It is not subject to environmental influences from buildings, vegetation, seasonal changes, rain, snow or ice. This assures both very accurate measurement results and repeatability of the results at any time.

Also, if the geometry of the antenna is the same at any cross section, it is only necessary to measure a full-scale segment of the array to determine the azimuth pattern of the full antenna. This property of broadcast antennas has been applied for years in model studies and other investigations where only the azimuth pattern was of interest.

In order to provide the most accurate measurements possible and to ensure that the antenna is in strict conformance with the customer's design requirements, Andrew utilizes an anechoic chamber for antenna model measurements and production testing of broadcast antenna azimuth patterns.

ANDREW®

Elevation Pattern Measurement

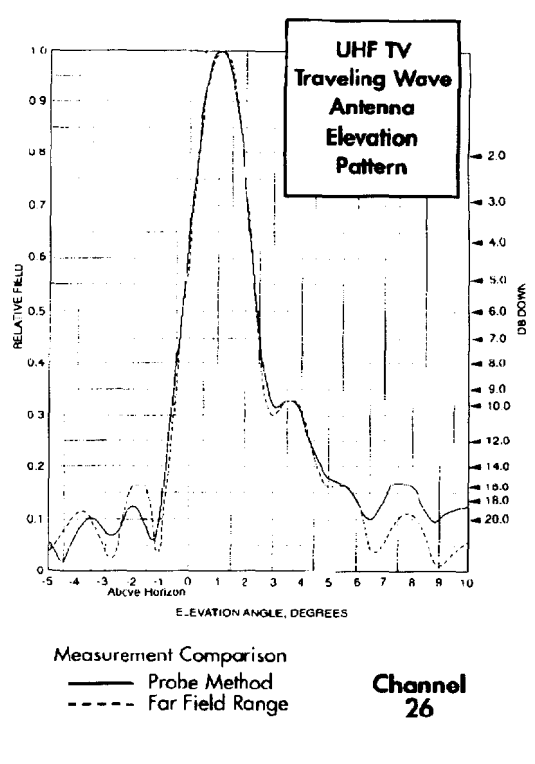
To determine the elevation pattern of the antenna requires that the entire array be assembled and that the phase and amplitude distribution across the aperture be measured. Because reflections and extraneous signals can cause significant error in this measurement, ideally the antenna should be placed inside an anechoic chamber and the elevation pattern measured in the same manner as the azimuth pattern. However, the physical size and cost of such a structure prohibits this.

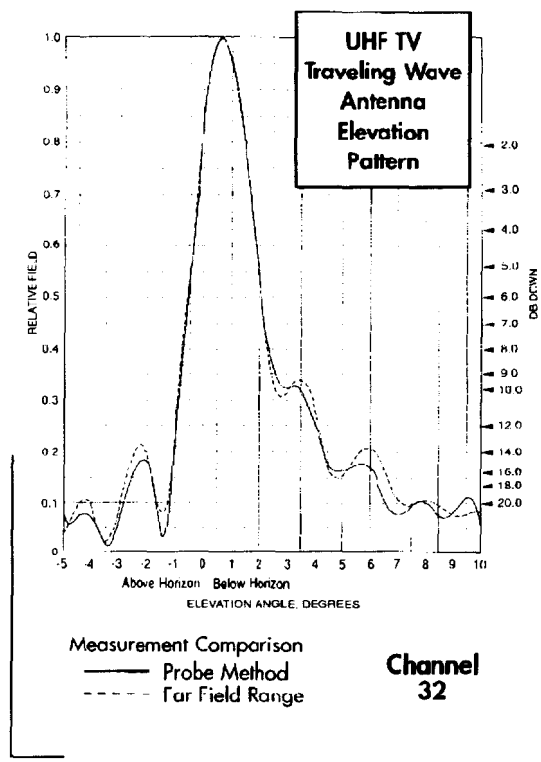
An alternate method of measurement was developed by engineers in the Andrew Broadcast division to simulate the "free space" condition of the anechoic chamber. This method uses an isolated probe to measure the slot excitation (amplitude and phase) of each slot in the array. By using well established mathematical relationships, a computer converts the data into a measured elevation pattern. The measured data and pattern are compared with the design data for conformance to customer specifications.

There are two major advantages to this measurement technique. Because the measurements are made very close to the array, the effects of reflections and other unwanted signals are greatly reduced. Also, because the elevation pattern specifications are based on a particular phase and amplitude distribution across the aperture, a direct comparison between predicted and measured patterns and distributions is possible. This greatly accelerates the test program by eliminating the need to determine if any variances are caused by interference in the measurements. Any adjustments that are necessary are immediately visible as well as what corrective action is required. Again, this technique is a measurement of the radiation pattern under the "free space" condition for maximum accuracy when comparing to the design criteria.

Test Comparisons

To better understand the ability of Andrew to accurately measure the radiation patterns of a broadcast transmitting antenna, a comparison with traditional far-field measurements is shown. Where the two patterns are different, it is our belief that the Andrew "probe" measurement (for the elevation pattern) and the anechoic chamber (for the azimuth pattern) are, in fact, closer to the "true" patterns due to the unknown impact of reflections and extraneous signals on the far-field test range results.



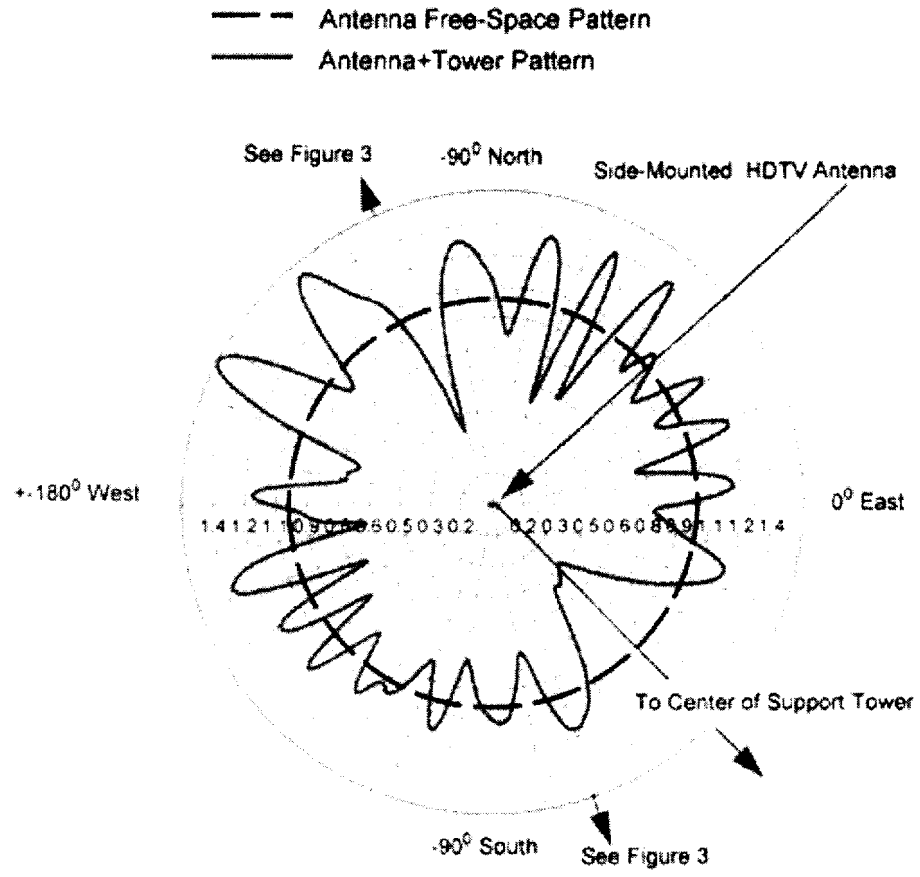


To Experience the Benefits of Andrew Broadcast Antenna Measurement Techniques

CALL 1-800-DIAL-4-RF

ANDREW.

Figure 2: RELATIVE FIELD OF HDTV ANTENNA AT MIDBAND OF CHANNEL 38



Appendix E

To the Opposition, Protest, and Petitions of Givens and Bell

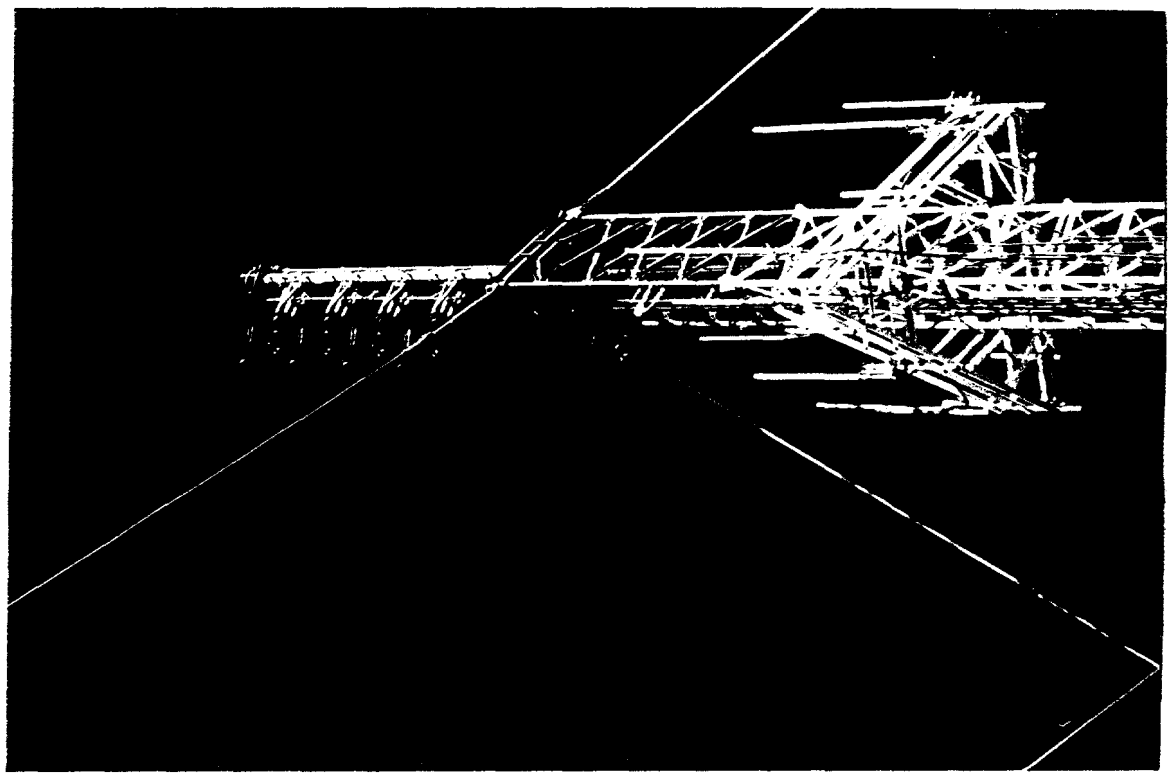
To the Actions taken by the Commission in it's Memorandum Order and Opinion

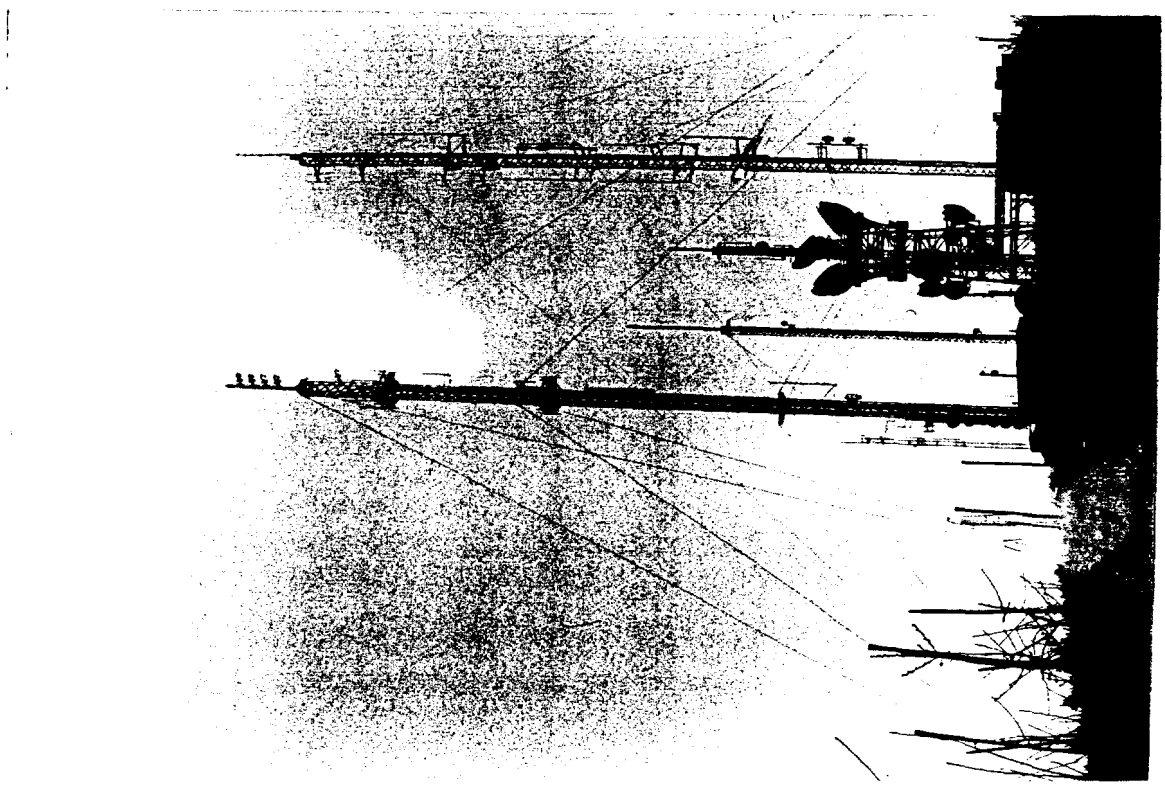
FCC 00-149

Released April 28, 2000

This Appendix Contains:

1. Photographs of the tower structure upon which both Achenar and Lindsay, and Givens & Bell, propose to locate their respective transmitting antennas for the proposed new Ch. 64 (now Ch. 19) television station.





Appendix F

To the Opposition, Protest, and Petitions of Givens and Bell

To the Actions taken by the Commission in it's Memorandum Order and Opinion

FCC 00-149

Released April 28, 2000

This Appendix Contains:

1. A true copy of the Petition, submitted March 13, 2000, to the Commission, for Rule Making Seeking a New Channel As per Public Notice DA 99-2605, and to immediately accept BPCT-961023KF for filing and recognize it's rightful status in proceeding 86-440.

Givens & Bell Division
Blue Ridge Video Services
3704 Mountain Road
Haymarket VA 20169-1739
(703) 754 2478

March 13, 2000

To the Federal Communications Commission:

RE: A Petition for Rule Making seeking a new channel below channel 60 for an applicant with a pending application for a new full-service NTSC television station on channels 64, as per Public Notice DA 99-2605, and requesting additional related actions.

This petition contains three related requests for action:

1. The Givens & Bell Division of Blue Ridge Video Services, ("Givens & Bell") as an active applicant (file number #BPCT-961023KF) for a full-power broadcast station on channel 64 in Charlottesville, VA, hereby petitions the Federal Communications Commission ("Commission") to proceed with a instant Rule Making to formally allot channel 19, as a replacement for the reallocated channel 64 allotment, to the television table of allotments for Charlottesville, VA, for commercial television broadcast use.

Givens & Bell recognizes that the need for such a petition may appear moot, in that the Commission has, as noted in footnote 9 to DA 99-2605, ("footnote 9") stated that, for the two other mutually exclusive applicants for this allotment, that the Bureau will not

require the filing of a rule making petition. The Commission has now opened a window for consideration of all applicants with pending applications for new full-service NTSC television stations on channels 60-69. This includes applicants whose applications are within the "TV Freeze Areas", as indicated by the inclusion of applicants with pending applications on channels 2-59 at locations inside of the "TV Freeze Areas". The Commission, however, failed to note in DA 99-2605, that this now opens the door for the Givens & Bell application to be further considered, as this application has been patiently awaiting the grant of its'accompanying petition for a waiver of the "TV Freeze Areas" with regard to Charlottesville, Virginia, since it was submitted for filing.

At the time Givens & Bell made application, during the window that closed on September 20, 1996, the applications of the two mutually exclusive applicants, namely, Achenar Broadcasting Company ("Achenar") and Lindsay Television, Inc. ("Lindsay") had been dissmissed by the Commission, and they were no longer recognized by the Commission. Their respective applications were later reinstated only as a result of a court order. Therefore, the Givens & Bell application is, in fact, the senior pending application for the Ch. 64 allotment at Charlottesville, Va.

The Commission has already indicated in footnote 9 to DA 99-2605, a willingness to consider the joint settlement combination of Achenar and Lindsay into one applicant, and to consider their joint application amendment to change to channel 19. This waiver of the petition for allotment of channel 19 to Charlottesville, as mentioned in footnote 9 to DA 99-2605, is in effect, a grant of an allotment of television channel 19 to replace

channel 64 at Charlottesville, and also, in effect, renders moot the "TV Freeze Area" surrounding Washington, D.C., in regards to consideration of the former Charlottesville channel 64 allotment and it's reallotment to channel 19.

2. Givens & Bell therefore also petitions the Commission to further formalize it's actions in footnote 9, by officially verifying, by any clear and unequivocal means it chooses, that the "TV Freeze Area" with respect to the to-be realloted channel 64 allotment has been effectively waived.

While the Givens & Bell application has been frozen "just inside the door" at the Commission for almost four years, it is apparent to anyone familiar with the history of proceeding 86-440 who has also studied BPCT-961023KF, that copies of this application, forwarded to the National Radio Astronomy Observatory ("NRAO") and apparently also studied by Achenar and Lindsay, cannot but have contributed significantly in moving this proceeding toward an equitable solution. The engineering plan presented in this application provided the first, and yet today, the only truly functional and equitable, all-sides acceptable solution to the problem of providing maximum new television service to the Charlottesville area while protecting the interests of the NRAO at Green Bank, West Virginia. The special antenna system proposed in this plan uses tested, established, self verifying technology and methodology in combination with a acceptable signal interference level based upon previous precedent-setting agreements.

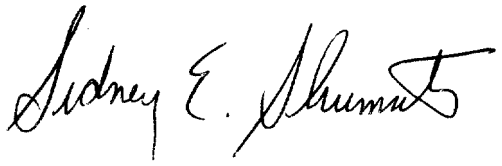
The present engineering amendment proposed by Achenar, received by the Commission almost two years after the Givens & Bell application, relocates to the same tower, adopts the signal level precedent methodology, and incorporates a crude simplification of the antenna engineering with the nulling antenna system absent. Also absent in their crude simplification was the incorporated methodology to fine-tune and verify operation of the system. Our review of the Achenar engineering exhibit has uncovered additional fatal flaws; we will comment further on this matter in an engineering review of the Achernar application to be filed seperately in proceeding 86-440.

Givens & Bell is of the opinion that the spectre of having the proceeding go to auction has provided the main recent impetus for the combining of these two aggressively tenacious combatants, Achenar and Lindsay; we also are of the opinion that the pending acceptance for filing of the Givens & Bell application has also contributed to the recent efforts of Achenar and Lindsay to generate legal pressure on the FCC to grant their faulty application before the Givens & Bell application can be, in it's proper time, considered. DA 99-2605 now clears the way for consideration of BPCT-961023KF.

3. Givens & Bell therefore also petitions the Commission to immediately accept BPCT-961023KF for filing and recognize it's rightful status in proceeding 86-440. Upon the grant of the above three petition action items; Givens & Bell will submit an amendment to it's application to move to channel 19 as soon as the Commission sees fit to accept such an amendment. It is time to move this proceeding into the future; we expect that this application modification will request a DTV station. We also expect to incorporate a

proposal that will consider the interests of WVPT-TV, the non-commercial station whose translator now occupies channel 19, as per the advisement of the Commission.

Submitted by:



Sidney E. Shumate, Principal Owner

Givens & Bell Division of Blue Ridge Video Services

tsunami@tidalwave.net

Givens & Bell Division
Blue Ridge Video Services
3704 Mountain Road
Haymarket VA 20169-1739
(703) 754 2478

March 13, 2000

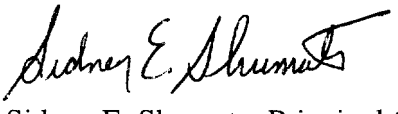
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington D.C. 20554

Dear Sir or Madam:

Enclosed please find a Petition for Rule Making seeking a new channel below channel 60 for an applicant with a pending application for a new full-service NTSC television station on channels 64, as per Public Notice DA 99-2605, and requesting additional related actions.

Additional copies are being sent in order to allow additional distribution; in addition to being submitted with regard to the window opened by DA 99-2605, this item should be submitted for the record in proceeding 86-440.

Submitted by:



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